

**ENTERED**

October 10, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

308

CASE NO: 24-33223

## **KIMBIRLY GONZALEZ,**

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CHAPTER 7

## **Debtor.**

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JAVIER SANCHEZ, JR.,

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## **Plaintiffs,**

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vs.

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**ADVERSARY NO. 24-3163**

KIMBIRLY GONZALEZ, ARTURO  
GONZALEZ, MAKKULA LLC,  
JOSE LUIS CELADON RAMIREZ,

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### **Defendants.**

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## **ORDER DENYING MOTION TO DISMISS AS MOOT**

Before the court is defendant, Kimbirly Gonzalez’ “Proposed Motion to Sua Sponte Dismissal of Adversary Proceeding” (ECF No. 12). The motion is denied as moot. This adversary was filed on August 10, 2024. The adversary is a removed state court case, Cause No. 2023-38275; Javier Espinoza Sanchez, Jr. v. Kimbirly Sanchez, et al, In the 189th Judicial District Court, Harris County, Texas. Defendant requests dismissal of this adversary pursuant to the order entered by this Court on August 12, 2024 (ECF No. 2), which requires the parties to file a joint pretrial statement prior to the pretrial conference. A joint pretrial statement was not filed, but three separate pretrial statements were filed by three of the parties.<sup>1</sup> The pretrial conference was held on October 9, 2024. Accordingly, the motion to dismiss is moot.

**THEREFORE, IT IS ORDERED** that the motion to dismiss is denied as moot.

SIGNED 10/10/2024

  
Jeffrey P. Norman  
United States Bankruptcy Judge

<sup>1</sup> ECF Nos. 5, 6 and 11.